

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA ) INDICTMENT  
v. ) Case No. II CR 133 PBC  
THOMAS R. VALLEY, ) 18 U.S.C. § 2251(a)  
Defendant. ) 18 U.S.C. § 2253

## THE GRAND JURY CHARGES:

### COUNT 1

On a date between in or about December 2010 to on or about May 13, 2011, exact date unknown, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor A", a minor female born in January 1997, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was transmitted using any means or facility of interstate commerce, specifically, a visual depiction of the lascivious exhibition of the genitals and pubic area of "Minor A", more particularly identified as "IMG\_0070.jpg", was transmitted via text message using a cellular telephone.

(In violation of Title 18, United States Code, Section 2251(a)).

## COUNT 2

On a date between in or about December 1, 2010 to on or about January 11, 2011,

exact date unknown, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor B", a minor female born in August 1994, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was transmitted using any means or facility of interstate commerce, specifically, a visual depiction of the lascivious exhibition of the genitals and pubic area of "Minor B", more particularly identified as "121210205550.jpg", was transmitted via text message using a cellular telephone.

(In violation of Title 18, United States Code, Section 2251(a)).

COUNT 3

On or about February 27, 2011, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor C", a minor female born in May 1995, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was transmitted using any means or facility of interstate commerce, specifically, a visual depiction of the lascivious exhibition of the genitals and pubic area of "Minor C", more particularly identified as "YA01\_001.jpg", was transmitted via text message using a cellular telephone.

(In violation of Title 18, United States Code, Section 2251(a)).

COUNT 4

On a date between in or about December 2010 to on or about February 21, 2011, exact date unknown, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor D", a minor female born in June 1995, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was produced using materials that had previously been shipped in and affecting interstate and foreign commerce. Specifically, a Seagate Barracuda 7200.11 external hard drive bearing serial number 9TE0GNL4, manufactured in Thailand, was used to produce a visual depiction of the lascivious exhibition of the genitals and pubic area of "Minor D", such depiction more particularly identified as "filehot11 (2).jpg".

(In violation of Title 18, United States Code, Section 2251(a)).

COUNT 5

On a date between in or about March 2011 to on or about May 11, 2011, exact date unknown, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor E", a minor female born in July 1995, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was produced using materials that had previously been shipped in and affecting interstate and foreign commerce.

Specifically, a Seagate Barracuda 7200.11 external hard drive bearing serial number 9TE0GNL4, manufactured in Thailand, was used to produce a visual depiction of the lascivious exhibition of the genitals and pubic area of "Minor E", such depiction more particularly identified as "textfree\_60972190\_001.jpg".

(In violation of Title 18, United States Code, Section 2251(a)).

COUNT 6

On or about February 16, 2011, in the Western District of Wisconsin, the defendant,

THOMAS R. VALLEY,

knowingly and intentionally used and persuaded "Minor F", a minor female born in April 1993, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depiction was produced using materials that had previously been shipped in and affecting interstate and foreign commerce.

Specifically, the defendant used a JVC Digital Video Camera, Model GZ-MS120RU, serial number 064C1090, manufactured in Malaysia, to produce a visual depiction of "Minor F" engaged in actual or simulated masturbation, such depiction more particularly identified in part as "playing with herself.wmv".

(In violation of Title 18, United States Code, Section 2251(a)).

FORFEITURE ALLEGATION

As a result of the offenses charged in Counts 1-6 of this indictment, and upon conviction for violating Title 18, United States Code, Section 2251(a), pursuant to Title

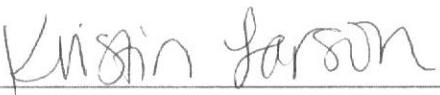
18, United States Code, Section 2253, the defendant,

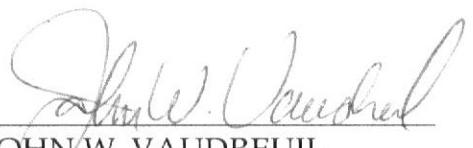
THOMAS R. VALLEY,

shall forfeit to the United States his right, title and interest in:

- (1) Any and all visual depictions which contain images which are or appear to be child pornography, together with the storage media in which they are contained, including books and magazines, seized from the defendant's residence; and
- (2) any and all property used or intended to be used to commit or to promote the commission of the aforementioned offense, specifically described as an Apple iPhone Model A1303, a Samsung Tmobile cellular phone, Model SGH-T669, a Seagate Barracuda 7200.11 external hard drive bearing serial number 9TE0GNL4, a JVC Digital Video Camera, Model GZ-MS120RU, bearing serial number 064C1090, a Blue Dell Desktop computer, Dimension XPS Gen 3, bearing serial number 5STFY51, and a Dell laptop, Model Number PP12L, bearing serial number 07898349890528.

A TRUE BILL

  
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PRESIDING JUROR

  
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JOHN W. VAUDREUIL  
United States Attorney

Indictment returned: 12/7/2011